

1                   IN THE UNITED STATES DISTRICT COURT  
2                   FOR THE EASTERN DISTRICT OF NORTH CAROLINA  
3                   SOUTHERN DIVISION  
4                   CASE NO. 7:16-cv-00016-RJ  
5                   )  
6                   CYBERNET LLC; and ALADDIN REAL ESTATE,                   )  
7                   LLC,                   )  
8                   )  
9                   Plaintiffs,                   )  
10                  VS.                   )  
11                  )  
12                  JONATHAN DAVID, in his personal                   )  
13                  capacity and his official capacity as                   )  
14                  District Attorney for the 13th                   )  
15                  Prosecutorial District of North                   )  
16                  Carolina; JAMES McVICKER, in his                   )  
17                  personal and his official capacity as                   )  
18                  Sheriff of Bladen County, North                   )  
19                  Carolina; and TRAVIS DEEVER, in his                   )  
20                  personal and official capacity as a                   )  
21                  Deputy Sheriff of Bladen County, North                   )  
22                  Carolina,                   )  
23                  )  
24                  Defendants.                   )  
25

21                  DEPOSITION OF CHAD BRITT

22                  At Elizabethtown, North Carolina

23                  August 17th, 2017

24                  2:06 p.m.

25                  Reported by: Leslie Christian

1           **A.     That is correct, sir.**

2           Q.     Did you have any other sort of duties,  
3 obligations as a corporal other than being assigned to  
4 the courtroom?

5           **A.     I was assigned to the courtroom, and the**  
6 **day this here occurred I was actually a corporal in the**  
7 **courtroom. My sergeant came to me Thomas Atkinson and**  
8 **asked if I could help with the search warrants.**

9           Q.     Thomas Atkinson?

10          **A.     That's correct, sir.**

11          Q.     And that's who you reported to?

12          **A.     That is correct.**

13          Q.     What time did he come to you?

14          **A.     I had to be at work -- let me see. What**  
15 **time did I report. It was between 8:30 and 9:00.**

16          Q.     So between 8:30 and nine is when he told  
17 you to participate?

18          **A.     That is correct, sir.**

19          Q.     What did he tell you at the time?

20          **A.     At the time he told me that I needed to**  
21 **meet near Jeff Bridgers' house and we would have a**  
22 **briefing and I needed to get up with Captain Jeff**  
23 **Tyler.**

24          Q.     I'll come back to that in just a moment.  
25 With respect to those raids that are at issue that

1 we'll be talking about, do you understand that they  
2 were conducted pursuant to search warrants?

3 **A. Yes, sir.**

4 Q. Are you aware that there was an  
5 investigation that was done before those search  
6 warrants were issued?

7 **A. I'm not aware of that, sir.**

8 Q. I take it then you had no involvement with  
9 respect to the investigation that was done?

10 **A. No, sir.**

11 Q. Did you have any involvement with respect  
12 to the application for the search warrant?

13 **A. No, sir.**

14 Q. So your first involvement that you had was  
15 when you were told to meet on May 29th, 2015, to help  
16 out with the raids?

17 **A. That is correct.**

18 Q. So you were told to go to a briefing at  
19 Jeff Bridges' house?

20 **A. Near Jeff Bridges' house, yes.**

21 Q. Where was that location?

22 **A. That is off of Rice Pond Road near Dublin  
23 Speedway which would probably be a mile and a half from  
24 the stores -- the Sweepstakes stores.**

25 Q. Was this a meeting in a building or an

1 outside location?

2           **A.     Outside, and it was very hot that day.**

3           Q.     Who all was at that meeting?

4           **A.     Travis Deaver, Chris Brisson, Captain**  
5 **Tyler, Richard Allen. I want to say -- I want to say**  
6 **Tommy Lynn and Jim Ray Marlowe, and I want to say Sue**  
7 **Lucas but I'm not sure.**

8           Q.     What about Jeff Bridgers?

9           **A.     I can't remember if he was there or not.**

10          Q.     What about Sheriff McVicker?

11          **A.     No.**

12          Q.     Given your work in the courtroom are you  
13 familiar with various members of the D.A.'s Office?

14          **A.     Am I familiar with them?**

15          Q.     Um-hm. Do you know who they are?

16          **A.     At that time, yes.**

17          Q.     Do you know Glenn Emery?

18          **A.     I do, sir.**

19          Q.     Irene Riel?

20          **A.     I do, sir.**

21          Q.     Jon David?

22          **A.     I do sir.**

23          Q.     Do you know who Scott Pait is?

24          **A.     Yes, sir.**

25          Q.     Were any of those people present at that

1 -- they said we were finished -- we were finished with  
2 little Aladdin, and there were already deputies and  
3 investigators and stuff over there at the little  
4 Aladdin. They were already there. At the big Aladdin.  
5 Excuse me.

6 Q. Okay.

7 A. And then I went there. The time is pretty  
8 -- right here at 13:10, 1:00. It seems like I was  
9 there earlier than that, sir. And there again that's  
10 not my handwriting.

11 Q. So you started out at the little Aladdin  
12 store and at some point you moved over to the big  
13 Aladdin store?

14 A. That is correct.

15 Q. In terms of the time that you would have  
16 arrived on scene, does 10:21 sound somewhere about  
17 accurate?

18 A. That does sound accurate, yes.

19 Q. And you mentioned earlier that Sheriff  
20 McVicker pulled up in a U-Haul?

21 A. That is correct.

22 Q. Do you recall what time he pulled up?

23 A. I don't recall that, sir. Not the exact  
24 time. I remember him pulling up. I can draw it out  
25 where he pulled in and everything.

1 Q. Was it at the little Aladdin store or the  
2 big Aladdin store?

3 A. Big Aladdin.

4 Q. So it was at some point after you moved to  
5 the big Aladdin?

6 A. That is correct.

7 Q. What did he -- did you have a conversation  
8 with him?

9 A. I spoke to the sheriff. He asked me how I  
10 was doing and told me I looked sharp with my hat on.  
11 He's very prestigious. He loves the uniform and loves  
12 the prestige.

13 Q. Can you explain that to me a little bit  
14 more. What do you mean by "he loves the prestige"?

15 A. He loves for a man to look sharp in his  
16 uniform -- and a woman. He loves for you to look sharp  
17 in uniform, and whenever you're outside your vehicle on  
18 duty he wants you to have your hat out.

19 Q. And by that you mean your sheriff issued?

20 A. That is correct, sir.

21 Q. Did Sheriff McVicker make any other  
22 comments generally to law enforcement officers?

23 A. I mean, he would -- you know, he would  
24 thank each and every one of us. I mean, he walked by  
25 -- thank you; I appreciate you; thank you. You know,

1 **stuff like that.**

2 Q. Earlier we were talking about statements  
3 that Captain Tyler -- if I recall correctly, it was  
4 Captain Tyler who was providing instructions at the  
5 pre-raid meeting?

6 **A. Yes, sir.**

7 Q. And you were talking about comments that  
8 Captain Tyler was making. And my recollection is that  
9 you started referring to comments made by Sheriff  
10 McVicker when he pulled up --

11 **A. Um-hm.**

12 Q. -- in the U-Haul?

13 **A. Whenever he pulled up in the U-Haul, he**  
14 **told us don't be tearing stuff up. Don't be messing**  
15 **stuff up. Don't just take the stuff and throw it in**  
16 **the back of the trucks. Set it in the back of the**  
17 **trucks.**

18 Q. Have you been involved in other executions  
19 of search warrants?

20 **A. Yes, sir.**

21 Q. How many would you say you've been involved  
22 in?

23 **A. I would say 10 to 15.**

24 Q. Has Sheriff McVicker been present at any of  
25 those?

1 that operation?

2           **A. Well, it wasn't an actual search warrant.**  
3 **It was like a crime scene. This happened years ago.**  
4 **Two houses had been caught on fire, and I remember the**  
5 **D.A.'s Office was out there.**

6           **Q. What about specifically with regard to the**  
7 **execution of search warrants?**

8           **A. No, sir.**

9           **Q. This was the first time with respect to the**  
10 **execution of a search warrant where somebody from the**  
11 **D.A.'s Office was present?**

12           **A. To my knowledge.**

13           **Q. In your experience?**

14           **A. To my knowledge, sir.**

15           **Q. How does this raid at these two stores**  
16 **compare to the other execution of search warrants that**  
17 **you've experienced? Does it seem to involve a bigger**  
18 **deal than the other ones?**

19                           **MR. SPAUGH: Objection. You can**  
20 **answer.**

21                           **THE WITNESS: What stood out about**  
22 **this here to me, sir, was the sheriff was there. Out**  
23 **of all my years working with the Sheriff's Department I**  
24 **had never seen the actual sheriff at a search warrant.**  
25 **With that being said, the sheriff that we have now is**

1 very proactive. The sheriffs I worked for in the past,  
2 they weren't as proactive.

3 (BY MR. ANTHONY)

4 Q. You mentioned earlier that you understood  
5 that this search warrant involved allegations of  
6 gambling; is that correct?

7 A. That is correct.

8 Q. Did you ever have any conversations with  
9 the sheriff about issues of gambling?

10 A. No, sir.

11 Q. Have you heard the sheriff make any  
12 statements about gambling?

13 A. No, sir.

14 Q. Have you heard the district attorney make  
15 any statements about gambling?

16 A. No, sir.

17 Q. Any members of the D.A.'s Office?

18 A. No, sir. I don't stay around the office  
19 much.

20 Q. Did you observe anybody on the roof of the  
21 big Aladdin store?

22 A. I did, sir.

23 Q. Who did you observe up there?

24 A. Travis Deaver.

25 Q. What did you observe him doing?

1           A.    If you're standing facing the big Aladdin  
2 he was on top of that one -- on top of big Aladdin. I  
3 heard the guys talking inside with the guys. That  
4 would be the people -- inside big Aladdin there was  
5 some wiring going up. I guess you would call it a  
6 firewall.

7                   There was some wires going up and you could  
8 see the wires. Morgan Johnson said don't cut them, you  
9 know, because they were wanting to cut them. He said  
10 do not cut them wires because if you cut them wires you  
11 could damage something.

12                   So Travis Deaver goes to the top. And  
13 where the wires are connected to the top I guess there  
14 was something they said was hung -- like, an adapter  
15 plug or something was hung and he was up there trying  
16 to unhook that.

17           Q.    When you say "they," who are you referring  
18 to?

19           A.    "They" would be Morgan Johnson, Richard  
20 Allen, and Matt Hester.

21           Q.    And so those were the ones who were looking  
22 to cut the wires before Morgan Johnson said no?

23           A.    It wasn't to cut the wires. He didn't want  
24 anything messed up. That was the whole thing. He  
25 didn't want none of the stuff messed up. And where the

1 wires were coming down, I mean, you could have took a  
2 knife and cut it. If they would have had -- suppose  
3 the electricity wire would have been there. If we cut  
4 that wire it's going to shock the fire out of you.  
5 And, plus, they didn't want to damage Mr. Jeff's  
6 equipment.

7 Q. So if you cut the wires you would, in  
8 effect, damage that equipment?

9 A. You would damage it and you could also hurt  
10 yourself especially if it's an electrical wire. We  
11 didn't know what the wires were. I'm standing there at  
12 the front door looking.

13 Q. I'll have you turn to Exhibit 16.

14 A. Exhibit 16?

15 Q. Yeah. They should all be in there.

16 A. Yes, sir.

17 Q. Exhibit 16 consists of four photographs; is  
18 that correct?

19 A. Yes, sir.

20 Q. And these are generally of the big Aladdin  
21 store; is that correct?

22 A. Yes, sir.

23 Q. And if you turn to the third picture it's  
24 DSC\_0005.

25 A. Yes, sir.

1 Q. Did that artwork pose any kind of threat to  
2 the officers?

3 A. I can only speak for myself; no, sir.

4 Q. It did not pose a threat to you?

5 A. No, sir.

6 Q. Do you think it was necessary to tear down  
7 that artwork?

8 MR. SPAUGH: Objection.

9 (BY MR. ANTHONY)

10 Q. Do you think it was necessary for any law  
11 enforcement officer on the day of the raid to tear down  
12 that artwork off of that window?

13 A. Can I ask Mr. Jeff a question?

14 MR. SPAUGH: No.

15 THE WITNESS: Can I ask you a  
16 question? If this here -- if I'm on the inside of this  
17 building right here and this right here is up, can I  
18 see through this right here? If I can see through this  
19 right here it would not be a threat to me. If I can  
20 look through and see through, it's not a threat.

21 But, now, if it's a sticker over the  
22 glass, yes, because we're in there conducting a search  
23 warrant and we would like to see what's on the outside.  
24 But if you can actually look through it, no, it would  
25 be pointless.

1 remove that artwork?

2 MR. SPAUGH: Objection. He's not an  
3 expert.

4 (BY MR. ANTHONY)

5 Q. You can answer the question if you can.

6 A. I think it would be pointless to tear  
7 something down. I mean, as long as you can see and  
8 even if it's glass that leads to the outside of a  
9 building, I mean, if it's secure on the outside why --  
10 the building was secure, sir.

11 Q. Are you aware of any cables being cut  
12 inside the building related to any of the equipment?

13 A. No, sir.

14 Q. Did you observe anybody cut any wires?

15 A. No cutting.

16 Q. Did you hear anybody talk about cutting  
17 wires other than what you discussed earlier?

18 A. Just about not cutting them.

19 Q. Are you aware of any damage that occurred  
20 during the execution of the search warrants?

21 A. Not that I recall, sir.

22 Q. Had you heard any discussion about damage  
23 that had occurred during execution of search warrants?

24 A. Not any damage. Just Travis said he about  
25 busted his ass up there on top of the roof.

1           **A.     Go ahead.**

2           Q.     You can answer.

3           **A.     Since I have been working here, that's the**  
4 **first time a sheriff that I have worked for has shown**  
5 **up to a crime scene, and his reasoning behind that is**  
6 **how proactive he is.**

7           Q.     And the question I have on that is how many  
8 of these searches did you participate in prior to  
9 Sheriff McVicker becoming the sheriff out of those 10  
10 to 15?

11          **A.     I've only been on one with him, sir, out of**  
12 **all of them.**

13          Q.     And how many searches have you participated  
14 in since he was elected?

15          **A.     Prior to him being elected, ten.**

16          Q.     Can you recall how many searches you've  
17 participated in since he's been elected?

18          **A.     Since he's been elected, approximately four**  
19 **or five.**

20          Q.     Is there any prohibition against the  
21 sheriff being present at the execution of a search  
22 warrant?

23          **A.     It's his department. He can do as he**  
24 **pleases. We work under the sheriff's discretion in**  
25 **North Carolina.**